

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ANGEL LENIN SERVELLON GIRON,

Petitioner,

v.

KRISTI NOEM, *et al.*,

Respondents.

Civil Action No. 25-6301 (JXN)

ORDER TO ANSWER

NEALS, District Judge

Before the Court is Petitioner Angel Lenin Servellon Giron's ("Petitioner") Petition for a Writ of Habeas Corpus ("Petition") pursuant to 28 U.S.C. § 2241 (ECF No. 1) and Petitioner's Motion for Order to Show Cause (ECF No. 2). Petitioner has paid the \$5.00 filing fee. In accordance with Rule 4 of the Rules Governing Section 2254 Cases, which is applicable to § 2241 cases through Rule 1(b) of the Rules Governing Section 2254 Cases, this Court has screened the Petition for dismissal and determined that dismissal without an answer and the record is not warranted. As the Court is ordering an answer, the Motion for Order to Show Cause (ECF No. 2) will be dismissed as moot. Accordingly,

IT IS, on this 6th day of June 2025,

ORDERED that Petitioner's Motion for Order to Show Cause (ECF No. 2) is **DISMISSED as moot**; it is further

ORDERED that the Clerk of the Court shall add the Warden of Delaney Hall Detention Facility as a Respondent¹; it is further

ORDERED that the Clerk of the Court shall serve a copy of the Petition (ECF No. 1) and this Order upon Respondents by regular mail, with all costs of service advanced by the United States; it is further

ORDERED that the Clerk of the Court shall forward a copy of the Petition (ECF No. 1) and this Order to the Chief, Civil Division, United States Attorney's Office, at the following email address: USANJ-HabeasCases@usdoj.gov; it is further

ORDERED that within thirty (30) days of the date of the entry of this Order, Respondents shall electronically file a full and complete Answer to said Petition, which responds to the factual and legal allegations of the Petition paragraph by paragraph; it is further

ORDERED that the Answer shall state the statutory authority for Petitioner's detention, *see* 28 U.S.C. § 2243; it is further

ORDERED that Respondents shall raise by way of the Answer any appropriate defenses which Respondents wish to have the Court consider, including, but not limited to, exhaustion of administrative remedies, including, with respect to the asserted defenses, relevant legal arguments with citations to appropriate legal authority; it is further

ORDERED that Respondents shall electronically file with the Answer certified copies of the administrative record and all other documents relevant to Petitioner's claims; it is further

ORDERED that all exhibits to the Answer must be identified by a descriptive name in the electronic filing entry, for example:

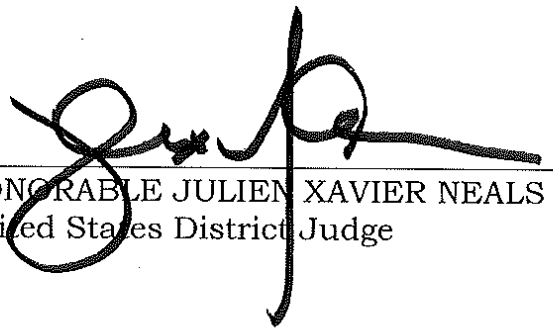
¹ The proper respondent is the "immediate custodian," i.e., the person with the power to produce the petitioner before the court and to release him if proper to do so. *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004) (citing 28 U.S.C. § 2243).

“Exhibit #1 Transcript of [type of proceeding] held on XX/XX/XXXX” or

“Exhibit #2 Opinion entered on XX/XX/XXXX by Judge YYYY”; it is further

ORDERED that Petitioner may file and serve a reply in support of the Petition within fourteen (14) days after the Answer is filed; and it is further

ORDERED that within seven (7) days of Petitioner’s release, be it transfer to supervised release or otherwise, Respondents shall electronically file a written notice of the same with the Clerk of the Court.



HONORABLE JULIEN XAVIER NEALS
United States District Judge